



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2223

DATE SCANNED 7-5-81

SCANNER NO. 2

SCAN OPERATOR IMP

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 10, 2010

MEMORANDUM

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *PC for PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *msc* NATALIYA IOFFE/SARI PICKERALL/IAN WANDNER *SR in*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 OCTOBER
QUARTERLY REPORT (NON-ELECTION SENSITIVE) FOR THE
ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 October Quarterly Report in accordance with 2 U.S.C. 434(a). The October Quarterly Report was due on October 15, 2010.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission

Federal Election Commission

Reason to Believe Circulation Report

2010 OCTOBER QUARTERLY- Not Election Sensitive 10/15/2010 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2212	C00458745	ANDRE WILLIAMS FOR CONGRESS	WILLIAMS, ANDRE LEWIS	DAVID EVERETT MARKO	\$375,326	0	10/28/2010	13	\$51,704	\$1,402
2213	C00474049	CARLINEO FOR CONGRESS	CARLINEO, GLORIA	GLORIA CARLINEO	\$181,423	0	12/7/2010	Not Filed	\$44,000	\$990
2215	C00480434	CHUCK FLUME FOR CONGRESS	FLUME, CHARLES WILLIAM SR.	BRUCE BLOCH	\$102,330	0		Not Filed	\$51,165 (est)	\$2,970
2216	C00477869	CLARK VANDEVENTER FOR CONGRESS 2010	VANDEVENTER, CLARK	CLARK VANDEVENTER	\$187,791	0		Not Filed	\$62,597 (est)	\$2,970
2218	C00463976	DEDE FOR CONGRESS INC	SCOZZAFAVA, DIERDRE K	DIERDRE K SCOZZAFAVA	\$762,971	1		Not Filed	\$254,324 (est)	\$11,000
2220	C00460220	DICK KELSEY FOR CONGRESS	KELSEY, RICHARD FRANKLIN	JOHN B BARRETT	\$530,198	0		Not Filed	\$88,366 (est)	\$3,850
2222	C00463265	ETHAN HASTERT FOR CONGRESS COMMITTEE	HASTERT, ETHAN ALLEN	LARRY NELSON	\$1,247,146	0		Not Filed	\$249,429 (est)	\$7,150
2223	C00481184	FRIENDS OF ROSS BIELING	BIELING, ROSS PARKER	ROSS PARKER BIELING	\$385,138	0	10/22/2010	7	\$112,696	\$1,535
2224	C00479006	HERRMANN FOR CONGRESS	HERRMANN, THOMAS A	FRANK J DEMILO CPA	\$1,207,368	0		Not Filed	\$402,456 (est)	\$9,900
2225	C00461970	JAY FLEITMAN FOR CONGRESS COMMITTEE	FLEITMAN, JAY SCOTT	MARY LOU STUART	\$286,236	0	10/22/2010	7	\$60,174	\$907
2226	C00473819	JIM HOLT CAMPAIGN COMMITTEE	HOLT, JIM	MARC MILLSAP	\$295,537	0		Not Filed	\$73,884 (est)	\$2,970
2231	C00463273	LOWRY FOR CONGRESS	LOWRY, ROBERT PAUL	ROBERT PAUL LOWRY	\$127,909	0		Not Filed	\$25,582 (est)	\$990

AF#	Committee ID	Committee Name	PV	Recess	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2232	C00483149	LUIS MEURICE FOR CONGRESS COMMITTEE			MEURICE, LUIS	BERNARD A BECKER	\$184,913	0	10/26/2010	11	\$57,453	\$1,237
2234	C00479907	MARK FRENCH FOR CONGRESS			FRENCH, MARK TODD	KATHLEEN CARRELL FRENCH	\$103,782	0		Not Filed	\$34,594 (est)	\$990
2235	C00475095	MATTHEW BURKE FOR CONGRESS			BURKE, MATTHEW	BURKE, JENNIFER	\$100,517	0	11/2/2010	18	\$3,344	\$115
2236	C00423202	MIKE GRAVEL FOR PRESIDENT 2008			GRAVEL, MIKE	MIKE GRAVEL	\$288,073	5		Not Filed	\$48,012 (est)	\$2,227
2237	C00463406	MORGAN FOR CONGRESS			MORGAN, VINCENT SCOTT	HON RD SNYDEN	\$152,791	0	11/17/2010	Not Filed	\$34,665	\$250
2238	C00480715	MULLEN FOR CONGRESS			MULLEN, WESLEY MARTIN	STUART WAYNE MCMAHEN	\$101,296	0		Not Filed	\$33,765 (est)	\$990
2242	C00473595	RICHARD LAKE FOR CONGRESS			LAKE, RICHARD DAVID GEORGE	TERRANCE BRADLEY	\$101,188	0		Not Filed	\$33,729 (est)	\$990
2243	C00468284	SCOTT TAYLOR FOR CONGRESS			TAYLOR, SCOTT W	THIEL HARLEY THOMAS IV	\$137,491	0		Not Filed	\$27,498 (est)	\$990
2246	C00473512	SHELDON GOLDSTEIN FOR CONGRESS			GOLDSTEIN, SHELDON	JUSTIN MOORE	\$176,204	0		Not Filed	\$35,241 (est)	\$990
2247	C00471516	SIAS FOR CONGRESS			SIAS, LANGHORNE C	CORY DICKSON	\$356,280	0		Not Filed	\$89,070 (est)	\$3,850
2248	C00467712	SINGH FOR CONGRESS			SINGH, NAVRAJ	TIMOTHY J DAVIS	\$417,659	1		Not Filed	\$104,415 (est)	\$6,187
2249	C00467761	SUE LOWDEN FOR U S SENATE			LOWDEN, SUE	BOB BEERS	\$8,068,867	0	10/22/2010	7	\$42,982	\$340
2250	C00476432	TIM WOOLDRIDGE FOR CONGRESS			WOOLDRIDGE, TYMOTHE (TIM) LYNN	CHARLES R PARTLOW	\$1,107,167	0	11/22/2010	Not Filed	\$19,501	\$550
2252	C00477844	WADE FOR DELAWARE			WADE, KEVIN LYNN	HARRY SKILTON	\$135,364	0		Not Filed	\$67,682 (est)	\$2,970
2253	C00471433	WILL BOYD FOR US SENATE			BOYD, WILLIE WILL FIUGNF JR	WILLIE "WILL" BOYD JR	\$131,829	0	10/23/2010	8	\$16,581	\$150

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2010)
October Quarterly Report (Non-Election)
Sensitive) for the Administrative Fine)
Program:)
MATTHEW BURKE FOR CONGRESS,) AF# 2235
and BURKE, JENNIFER as treasurer;)
ANDRE WILLIAMS FOR CONGRESS,) AF# 2212
and DAVID EVERETT MARKO as)
treasurer;)
LUIS MEURICE FOR CONGRESS) AF# 2232
COMMITTEE, and BERNARD A)
BECKER as treasurer;)
WILL BOYD FOR US SENATE, and) AF# 2253
WILLIE "WILL" BOYD JR as treasurer;)
FRIENDS OF ROSS BIELING, and) AF# 2223
BIELING, ROSS PARKER as treasurer;)
JAY D'LEITMAN FOR CONGRESS) AF# 2225
COMMITTEE, and MARY LOU STUART)
as treasurer;)

SUE LOWDEN FOR U S SENATE, and) AF# 2249
BOB BEERS as treasurer;)
CARLINEO FOR CONGRESS, and) AF# 2213
CARLINEO, GLORIA as treasurer;)

CHUCK FLUME FOR CONGRESS, and) AF# 2215
BRUCE BLOCH as treasurer;)
CLARK VANDEVENTER FOR) AF# 2216
CONGRESS 2010, and CLARK)
VANDEVENTER as treasurer;)

DEDE FOR CONGRESS INC, and) AF# 2218
SCOZZAFAVA, DIERDRE K as treasurer;)

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DICK KELSEY FOR CONGRESS, and) AF# 2220
JOHN B BARRETT as treasurer;)

ETHAN HASTERT FOR CONGRESS) AF# 2222
COMMITTEE, and NELSON, LARRY as)
treasurer;)
HERRMANN FOR CONGRESS, and) AF# 2224
FRANK J DEMILO CPA as treasurer;)
JIM HOLT CAMPAIGN COMMITTEE,) AF# 2226
and MARC MILLSAP as treasurer;)

LOWRY FOR CONGRESS, and ROBERT) AF# 2231
PAUL LOWRY as treasurer;)

MARK FRENCH FOR CONGRESS, and) AF# 2234
KATHLEEN CARRELL FRENCH as)
treasurer;)
MIKE GRAVEL FOR PRESIDENT 2008,) AF# 2236
and MIKE GRAVEL as treasurer;)
MORGAN FOR CONGRESS, and) AF# 2237
SNYDEN, RD HON. as treasurer;)
MULLEN FOR CONGRESS, and) AF# 2238
STUART WAYNE MCMAHEN as)
treasurer;)

RICHARD LAKE FOR CONGRESS, and) AF# 2242
BRADLEY, TERRANCE as treasurer;)
SCOTT TAYLOR FOR CONGRESS, and) AF# 2243
ITHIEL HARLEY THOMAS IV as)
treasurer;)

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SHELDON GOLDSTEIN FOR) AF# 2246
CONGRESS, and JUSTIN MOORE as)
treasurer;)
SIAS FOR CONGRESS, and CORY) AF# 2247
DICKSON as treasurer;)
SINGH FOR CONGRESS, and TIMOTHY) AF# 2248
J DAVIS as treasurer;)
TIM WOOLDRIDGE FOR CONGRESS,) AF# 2250
and CHARLES R PARTLOW as treasurer;)

WADE FOR DELAWARE, and HARRY) AF# 2252
SKILTON as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 15, 2010 the Commission took the following actions on the Reason To Believe Recommendation - 2010 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 13, 2010, on the following committees:

AF#2235 Decided by a vote of 6-0 to: (1) find reason to believe that MATTHEW BURKE FOR CONGRESS, and BURKE, JENNIFER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2212 Decided by a vote of 6-0 to: (1) find reason to believe that ANDRE WILLIAMS FOR CONGRESS, and DAVID EVERETT MARKO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners

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Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2232 Decided by a vote of 6-0 to: (1) find reason to believe that LUIS MEURICE FOR CONGRESS COMMITTEE, and BERNARD A BECKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2253 Decided by a vote of 6-0 to: (1) find reason to believe that WILL BOYD FOR US SENATE, and WILLIE "WILL" BOYD JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2223 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF ROSS BIELING, and BIELING, ROSS PARKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2225 Decided by a vote of 6-0 to: (1) find reason to believe that JAY FLEITMAN FOR CONGRESS COMMITTEE, and MARY LOU STUART as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2249 Decided by a vote of 6-0 to: (1) find reason to believe that SUE LOWDEN FOR U S SENATE, and BOB BEERS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2213 Decided by a vote of 6-0 to: (1) find reason to believe that CARLINEO FOR CONGRESS, and CARLINEO, GLORIA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2215 Decided by a vote of 6-0 to: (1) find reason to believe that CHUCK FLUME FOR CONGRESS, and BRUCE BLOCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2216 Decided by a vote of 6-0 to: (1) find reason to believe that CLARK VANDEVENTER FOR CONGRESS 2010, and CLARK VANDEVENTER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2218 Decided by a vote of 6-0 to: (1) find reason to believe that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2220 Decided by a vote of 6-0 to: (1) find reason to believe that DICK KELSEY FOR CONGRESS, and JOHN B BARRETT as treasurer violated 2 U.S.C.

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434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2222 Decided by a vote of 6-0 to: (1) find reason to believe that ETHAN HASTERT FOR CONGRESS COMMITTEE, and NELSON, LARRY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2224 Decided by a vote of 6-0 to: (1) find reason to believe that HERRMANN FOR CONGRESS, and FRANK J DEMILO CPA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2226 Decided by a vote of 6-0 to: (1) find reason to believe that JIM HOLT CAMPAIGN COMMITTEE, and MARC MILLSAP as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2231 Decided by a vote of 6-0 to: (1) find reason to believe that LOWRY FOR CONGRESS, and ROBERT PAUL LOWRY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2234 Decided by a vote of 6-0 to: (1) find reason to believe that MARK FRENCH FOR CONGRESS, and KATHLEEN CARRELL FRENCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2236 Decided by a vote of 6-0 to: (1) find reason to believe that MIKE GRAVEL FOR PRESIDENT 2008, and MIKE GRAVEL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2237 Decided by a vote of 6-0 to: (1) find reason to believe that MORGAN FOR CONGRESS, and SNYDEN, RD HON. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2238 Decided by a vote of 6-0 to: (1) find reason to believe that MULLEN FOR CONGRESS, and STUART WAYNE MCMAHLEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2242 Decided by a vote of 6-0 to: (1) find reason to believe that RICHARD LAKE FOR CONGRESS, and BRADLEY, TERRANCE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2243 Decided by a vote of 6-0 to: (1) find reason to believe that SCOTT TAYLOR FOR CONGRESS, and ITHIEL HARLEY THOMAS IV as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2246 Decided by a vote of 6-0 to: (1) find reason to believe that SHELDON GOLDSTEIN FOR CONGRESS, and JUSTIN MOORE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2247 Decided by a vote of 6-0 to: (1) find reason to believe that SIAS FOR CONGRESS, and CORY DICKSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2248 Decided by a vote of 6-0 to: (1) find reason to believe that SINGH FOR CONGRESS, and TIMOTHY J DAVIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2250 Decided by a vote of 6-0 to: (1) find reason to believe that TIM WOOLDRIDGE FOR CONGRESS, and CHARLES R PARTLOW as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2252 Decided by a vote of 6-0 to: (1) find reason to believe that WADE FOR DELAWARE, and HARRY SKILTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

December 17, 2010
Date

Attest:

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 21, 2010

Ross Parker Bieling, in official capacity as Treasurer
Friends of Ross Bieling
7000 S. Sylvan Lake Drive
Sanford, FL 32771

C00481184
AF#: 2223

Dear Mr. Bieling:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through September 30th, shall be filed no later than October 15th. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on October 22, 2010, 7 days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On December 15, 2010, the FEC found that there is reason to believe ("RTB") that Friends of Ross Bieling and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before October 15th.

Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,535. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$1,535 is due within forty (40) days of the finding, or by January 24, 2011, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$112,696
Number of Days Late: 7
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 24, 2011. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Ross Bieling and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection

Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Cynthia L. Bauerly
Vice Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$1,535 for the 2010 October Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by January 24, 2011. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Friends of Ross Bieling

FEC ID#: C00481184

AF#: 2223

PAYMENT DUE DATE: January 24, 2011

PAYMENT AMOUNT DUE: \$1,535

**FEC OFFICE OF
ADMIN RE**

2011 JAN 24 1 11 2

January 22, 2011

Sent Via Federal Express
Airbill # 8741 5680 2730

FEC Office of Administrative Review
999 East Street N.W.
Washington, DC 20463

RE: Committee Identification Number C00481184, Friends of Ross Bieling and FEC Preliminary Finding of Violation of 2 U.S.C. § 434(a).

This correspondence is being submitted as both an Affidavit and Declaration in support of Friends of Ross Bieling and the Committee's challenge to the preliminary finding of claim that the Committee violated 2 U.S.C. § 434(a). Accordingly, this response is submitted demanding consideration under the grounds that "The Committee and Ross Bieling personally demonstrated use of best efforts to file said report in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond our control." 11 C.F.R. § 111.35(b).

Specifically, the factual claims in support of this filing are as follows:

1. On or about April 13, 2010, the Committee of Friends of Ross Bieling was formed by and under the direction and within the service scope of expertise of the Robinson and Peacock accounting firm located in Sarasota, Florida. During the tenure of services, Eric Robinson notified Ross Bieling that they were not going to continue to provide services as they were also representing several other campaigns supported by a consultant that the Bieling campaign had elected to discharge due to various issues that the campaign was concerned with. Accordingly, Eric Robinson elected to discontinue the relationship as his firm did not want to lose the consultants business. There was no assistance provided by the Peacock accounting firm to the Friends of Ross Bieling regarding securing another accounting firm that had the necessary expertise with the FEC accounting software.
2. I Ross Bieling personally made all reasonable efforts to locate a replacement firm to ensure that any and all filing requirements were met as this was his first time seeking Federal Office or any other office for that matter.
3. I Ross Bieling seeking assistance and direction with the FEC software program contacted the FEC division and was referred to a Seth Kaye. I expressed to him that I had had an accountant with specialty expertise unilaterally vacate the Committee for the above expressed circumstances and was seeking his assistance.
4. I Ross Bieling expressed to Seth Kaye that I had no experience with the software program, that I had reviewed the manual mailed to the campaign, and that I found it lacking in providing a clear and concise roadmap on exactly what to do in order to ensure timely filing required by law.
5. Mr. Kaye's response was for the most part "read the manual" whereby I responded that it was confusing and lacked clarity. The minimal brief and abrupt "guidance" that Mr. Kaye provided proved to be unsupportive as I Ross Bieling proceeded to enter all receipts for the period in

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- question in the incorrect format utilizing the incorrect form that I was directed to use. (Including loan contributions by myself to the campaign in the amount of \$200,000.)
6. This was a clear demonstration of best efforts to both file in a timely manner in keeping with requirements under the law. The unforeseen circumstance was the incompetence of Seth Kaye and the clear lack of any genuine desire to assist an individual seeking public office. One would not expect to receive lack of support from the very department and individuals charged and paid by the Federal Government to provide that specific service.
 7. At no time did Mr. Kaye offer assistance in the scope of suggesting other accountants that might have been able to provide the necessary expertise required in order to utilize the FEC software
 8. No less than (4) calls seeking assistance were made to Seth Kayes by myself Ross Bieling in an effort to timely file any and all documents required under the law. My experience on the telephone was that this individual was short, uninformative, and found great solace in the response "you need to read the manual" as all the information is contained within the manual.
 9. I Ross Bieling sought out other accounting firms but found no firm to have the necessary expertise with the FEC software.
 10. I Ross Bieling phoned the FEC on (3) more occasions seeking assistance with the software from individuals other than Mr. Kayes. I took copious notes in an attempt to file timely and correctly. Unfortunately, I was again provided with the incorrect form number and entered the individual expenditure transactions that ultimately were rejected by the FEC system.
 11. I Ross Bieling ultimately sought out assistance from a competitive campaign in an effort to meet the filing requirements required under the law.

These facts were presented to Seth Kayes Supervisor Natalia. The arrogance and lack of support provided by Seth Kayes assigned as the representative contact for the District 8, Florida campaigns has in fact been an overriding factor in the lateness of the filing. A candidate would expect to receive assistance and guidance from representatives of the Federal Elections Commission in a quest to serve the public. My recent telephone discussions with Seth Kayes Supervisor Natalia educated me to the fact that the FEC is "understaffed and not mandated or required to provide in depth support service to campaigns, and that in an effort to educate accountants throughout the Country in the scope of utilizing the FEC software, the FEC has held forums in support of that education of the software."


Although I Ross Bieling certainly support this effort, my negative and potentially costly experience with the FEC representative could have been avoided if Mr. Kayes had volunteered during our various telephone discussions the names of different accounting firms within his area of service throughout Florida. At no time did Mr. Kayes provide, offer, educate or refer our Committee to a third party accounting firm for assistance. Clearly, the FEC software is confusing at best, and required educated and informed professionals in order utilize the software in support of timely filings of reports. Given these sets of facts, the campaign was "only" 7 days late accordingly to your records. I Ross Bieling believe that in consideration of the facts and the issues detailed and outlined above, I have demonstrated that there was and is a documented and supported claim of "demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond my control."

In brief, if Mr. Kayes scope of expertise is limited to that service which he provided, then he serves no purpose. A candidate for high public office seeking assistance from the Federal Elections Commission should not be exposed to these types of roadblocks, lack of assistance and ultimately an adverse finding

by the very same individuals that failed to provide a meaningful level of expertise and assistance to the very individual that they claim to serve. In America, this is wrong and falls far short of a threshold standard that we should set while seeking excellence.

Please feel free to contact me at [redacted] should you require further documentation. I Ross Bieling submit this correspondence and declaration in support of a request for consideration as it pertains to and all penalties as a result of the alleged tardy filing.

Attested to this day January 21, 2011 by,



Ross Bieling Candidate & Acting Treasurer
Committee # COO481184
Friends of Ross Bieling



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

January 24, 2011

Ross Parker Bieling, in his official capacity as Treasurer
Friends of Ross Bieling
7000 S Sylvan Lake Drive
Sanford, FL 32771

C00481184
AF#: 2223

Dear Mr. Bieling:

On January 24, 2011, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

11092654708

**FEC OFFICE OF
ADMIN REVIEW**

2011 JAN 26 A 7 02

Date: January 25, 2011

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2223

Committee Name: Friends of Ross Bieling

Committee ID#: C00481184

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

**Copy of RTB Circulation Report, dated December 10, 2010 and RTB
Certification, dated December 15, 2010 (Y/N): N**

Attachment #: N/A

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y

Attachment #: 1

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2010 October Quarterly Report Prior Notice, dated September 21, 2010.

-RTB Letter, dated December 21, 2010.

Attachment #: 3

Other RAD Information: (Y/N): Y

Attachment#: 4

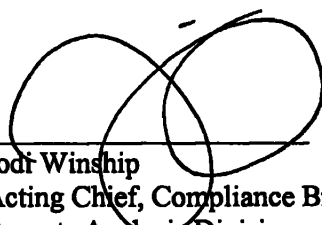
11092654709

DECLARATION OF JODI WINSHIP

1. I am the Acting Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Acting Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Friends of Ross Bieling:
 - A) Prior Notice, dated September 21, 2010, referencing the 2010 October Quarterly Report (sent via electronic mail to: ERIC@PEACOCKCPA.COM);
 - B) Reason-to-Believe Letter, dated December 21, 2010, referencing the 2010 October Quarterly Report.

I hereby certify that I have searched the Commission's public records and find that Friends of Ross Bieling filed the 2010 October Quarterly Report with the Commission on October 22, 2010.

3. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 25th day of January, 2011.



Jodi Winship
Acting Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



OCTOBER QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES
PARTIES AND PACS

September 21, 2010

CURRENT REPORT DUE

REPORT	CLOSE OF BOOKS	OVERNIGHT MAILING DEADLINE	FILING DEADLINE
October Quarterly	09/30/10	10/15/10	10/15/10

REPORTING SCHEDULE FOR REMAINDER OF 2010

REPORT	CLOSE OF BOOKS	REC/CERT & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-General ¹	10/13/10	10/18/10	10/21/10
Post-General	11/22/10	12/02/10	12/02/10
Year-End	12/31/10	01/31/11	01/31/11

Supplemental Filing Information is available:

- Congressional Committees
- Parties and PACs

¹ A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

² **Parties and PACs:** required only if committee makes contributions or expenditures in connection with the general election during the reporting period.

Congressional Committees: campaign committees of a candidate who participates in the general election must file pre-and post-general election reports.

2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2010. ²

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

¹ Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

² If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32 [PDF].

PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2010 state primary, nominating convention or runoff election -- even if unopposed -- must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports.

See 11 CFR 104.5(a)(2).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates
- The Record: January 2010 issue [PDF]
- Candidate Guide, pp. 79-80 [PDF]

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running.

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). Campaign committees that file electronically **MUST** submit their 48-hour notices electronically. See 11 CFR 104.5(f).

- Web Page: Electronic Filing Page
- Web Page: Link to Paper Forms (for downloading and printing)
- Form 6 Fax numbers
 - Senate campaigns (Secretary of the Senate): (202) 224-1851
 - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate Guide, p. 80 [PDF]

COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).³

See 11 CFR 111.30.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 81-82 [PDF]

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 110.17(e).

- The Record: March 2009 issue [PDF]

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Candidate Guide, p. 79 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

2010 SUPPLEMENTAL FILING INFORMATION PACs AND PARTY COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2010. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

Paper Filing – Meeting the Filing Deadline

Paper report filing options – Registered, Certified or Overnight or First Class Mail.
See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 45-46 [PDF]; Party, p. 65 [PDF].

PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

COMPLIANCE

Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.30.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF].

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the covered period (see page 1 of this notice).

See 11 CFR 104.22 and 110.17(e).

- The Record: March 2009 issue [PDF]
- Campaign Guide: Party, pp. 143-149 [PDF]

CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: Filing Frequency by Type of Committee
- Campaign Guide: Nonconnected, p. 51 [PDF]; SSF, p. 49 [PDF]; Party, p. 67 [PDF].

48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2010 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure. See 11 CFR 104.4.

- Web Page: 48- and 24-hour periods for independent expenditures for 2010 elections
- Campaign Guide: Nonconnected, pp. 72-74 [PDF]; SSF, pp. 65-67 [PDF]; Party, pp. 87-89 [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
COMMUNICATIONS SECTION
2011 MAR 25 A 9:19

SENSITIVE

March 24, 2011

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Acting Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2223 – Friends of Ross Bieling
and Ross Parker Bieling, in his official capacity as Treasurer (C00481184)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

11092654717



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 24, 2011

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2223 – Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as
Treasurer (C00481184)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$1,535 civil money penalty.

Reason-to-Believe Background

On December 15, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2010 October Quarterly Report and made a preliminary determination that the civil money penalty was \$1,535 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter dated December 21, 2010 and mailed to the respondents' address of record from the Reports Analysis Division ("RAD") to notify them of the Commission's RTB finding and civil money penalty, was returned to the Commission because it was unclaimed. A second letter mailed to an alternate address for the respondents was also returned. A third copy of the letter was sent to an alternate address provided by the respondents on January 5, 2011 and was successfully delivered on January 8.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee of a candidate shall file a report for the period ending September 30 no later than October 15. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on October 15 to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On January 24, 2011, the Commission received the written response ("challenge") from Ross Bieling, who is both the Candidate and Treasurer, challenging the RTB finding. Mr. Bieling states that he spoke with his RAD Analyst no less than four times in an effort to file all of his reports timely, and was advised to read the FECFile software manual. He was directed to use the incorrect form for the October Quarterly Report when entering his receipts for the period, which included a \$200,000 loan he made to the campaign. In addition to the calls to the RAD Analyst, he made three other calls to the Commission seeking assistance with the software and was again provided the incorrect form number, and entered transactions that were ultimately rejected by the software. He requests consideration of the fine based on his demonstration of best efforts to file

timely when prevented from doing so by reasonably unforeseen circumstances beyond his control.

Analysis

The October Quarterly Report was filed on October 22, 2010, 7 days late.

Commission records indicate that Mr. Bieling first sought Commission assistance with electronic filing on August 11, 2010 when he called the RAD Analyst with basic questions. The Analyst walked him through the reporting schedule on the Commission's website, explained when the Committee's registration and reporting requirements began, and showed him where to download the FECFile software and corresponding "Getting Started Manual," for him to reference going forward. At the conclusion of this conversation, Mr. Bieling indicated that he would work on the 12 Day Pre-Primary Report which was due on August 12, the following day.

Mr. Bieling called the Analyst twice on August 12. In the first conversation, he sought clarification on whether the software timed-out if all the information is not entered. The Analyst explained that the file can be reopened at any time provided it has been saved, and suggested he use the manual as a guide as he worked to file the July Quarterly and 12 Day Pre-Primary Reports. In the second conversation, Mr. Bieling informed the Analyst that he was filing a Form 5 Report of Independent Expenditures Made and Contributions Received. The Analyst explained that the July Quarterly Report should be filed on a Form 3 Report of Receipts and Disbursements and specifically guided him to page 4 of the "Getting Started Manual" which provides step-by-step instructions on how to create the Committee's File which would allow him to file on the correct Form.

On August 23, Mr. Bieling called the Analyst about the Committee File. Sensing Mr. Bieling's confusion with the software, the Analyst had him start from the beginning and walked him through how to create the Committee and input all the necessary information, such as the correct election cycle dates and the process for how to create a Form 3. The Analyst also reiterated that if the Committee raised or spent more than \$5,000 during the July Quarterly reporting period, they were required to file the July Quarterly Report. Commission records indicate that Mr. Bieling also spoke to the Electronic Filing Office ("EFO") on August 23. The EFO assisted him with creating a report and entering transactions into the FECFile software. The following day, August 24, Mr. Bieling called the EFO for assistance with validation errors. The EFO walked him through correcting his errors and uploading the July Quarterly Report.

Mr. Bieling only sought assistance with filing the 2010 July Quarterly and 12 Day Pre-Primary Reports, both of which were due prior to the October Quarterly Report. Although the challenge states that Mr. Bieling was directed to use the incorrect Form when filing the October Quarterly Report, which included a \$200,000 candidate loan, Commission records show that Mr. Bieling was in the midst of filing the July Quarterly Report and already using the incorrect Form when he called the Analyst on August 12, two full months before the October Quarterly Report was due. Additionally, the \$200,000 candidate loan the challenge asserts was filed on the October Quarterly Report, was actually disclosed on their July Quarterly Report.

There are no records of Mr. Bieling seeking assistance from either RAD or the EFO with filing the October Quarterly Report. The RAD Authorized Branch Chief confirms that the report was filed on October 22, and there were no calls from the Committee between August 23 and December 8. Additionally, the Commission's Information Technology Division ("ITD") Manager verifies that there were no known problems or issues with FECFile that would have prevented the respondents from filing the October Quarterly Report.

The administrative fine regulations specifically state that inexperience of the treasurer and a committee's failure to use filing software properly are not reasonably unforeseen circumstances. 11 C.F.R. § 111.35(d). Their challenge fails to address any of the three valid grounds for challenge at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The other issues raised in the challenge (the resignation of the respondents' accounting firm, Mr. Bieling's efforts to find a replacement firm, and the Analyst's failure to suggest an accounting firm) also do not fall within the list of defenses enumerated at 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$1,535.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2223 involving Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2223 that Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a), assess a civil money penalty of \$1,535; and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 –
- Attachment 3 –
- Attachment 4 – Declaration from RAD
- Attachment 5 – Declaration from OAR

DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2010 October Quarterly Report is due October 15, 2010. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on October 15 to be timely filed.
3. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations including due dates of reports and filing requirements.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of Page 1 of the Summary Page, and Pages 3 and 4 of the Detailed Summary Page for the 2010 October Quarterly Report electronically filed by Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from August 5 through September 30, 2010, and was received on October 22, 2010. Line 16, Column A lists \$0 in total receipts for this period. Line 22, Column A lists \$112,696.81 in total disbursements for this period.
5. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 24th of March, 2011.



Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Election Commission

11092654721

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

FRIENDS OF ROSS BIELING

ADDRESS (number and street)

7000 S SYLVAN LAKE DRIVE

Check if different
than previously
reported. (ACC)

SANFORD

FL

32771

2. FEC IDENTIFICATION NUMBER

C00481184

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)

FL

08

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

X October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period 08 05 2010 through 09 30 2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Mr. ROSS Parker BIELING

Signature of Treasurer Electronically Filed by Mr. ROSS Parker BIELING

Date 10 22 2010

NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3 (Revised 12/2003)

3 / 11

Write or Type Committee Name
FRIENDS OF ROSS BIELINGReport Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y
0 8 0 5 2 0 1 0 0 9 3 0 2 0 1 0**I. RECEIPTS****COLUMN A**
Total This Period**COLUMN B**
Election Cycle-to-Date**11. CONTRIBUTIONS (other than loans) FROM:**

(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(i) Itemized (use Schedule A).....		
(ii) Unitemized.....	0.00	0.00
(iii) TOTAL of contributions from individuals..... ▶	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACS).....	0.00	0.00
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))	0.00	0.00

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....

0.00 0.00

13. LOANS

(a) Made or Guaranteed by the Candidate.....	0.00	200000.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	0.00	200000.00

14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....

0.00 0.00

15. OTHER RECEIPTS (Dividends, Interest, etc.).....

0.00 0.00

16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶

0.00 200000.00

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)

4 / 11

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	52696.81	125138.28
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	60000.00	60000.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	60000.00	60000.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) >	112696.81	185138.28
III. CASH SUMMARY		
23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....		127558.53
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....		0.00
25. SUBTOTAL (add Line 23 and Line 24).....		127558.53
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....		112696.81
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....		14861.72



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

March 28, 2011

Ross Parker Bieling, in his official capacity as Treasurer
Friends of Ross Bieling
7000 South Sylvan Lake Drive
Sanford, FL 32771

C00481184
AF# 2223

Dear Mr. Bieling:

On December 15, 2010, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Friends of Ross Bieling and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2010 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$1,535 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

cc (via Express Mail): P.O. Box 952017
Lake Mary, FL 32795

Attachment

11092654725



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2011 APR 13
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2011 APR 13 P 4:44

April 13, 2011

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer
Acting Staff Director *AP*

From: Patricia Carmena *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2223 – Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer (C00481184)

On December 15, 2010, the Commission found reason to believe (“RTB”) that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 October Quarterly Report and also made a preliminary determination that the civil money penalty was \$1,535 based on the schedule of penalties at 11 C.F.R. § 111.43.

On January 24, 2011, the Commission received the respondents’ written response (“challenge”). After reviewing the challenge, the Reviewing Officer’s recommendation dated March 24, 2011 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$1,535 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the Reviewing Officer’s recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

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OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2223 involving Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer, in making the final determination;**
- (2) Make a final determination in AF# 2223 that Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a), assess a civil money penalty of \$1,535; and**
- (3) Send the appropriate letter.**

11092654727

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2223
Friends of Ross Bieling and Ross)
Bieling, in his official capacity as)
Treasurer (C00481184))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 29, 2011, the Commission decided by a vote of 6-0 to take the following actions in AF 2223:

1. Adopt the Reviewing Officer recommendation for AF# 2223 involving Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2223 that Friends of Ross Bieling and Ross Parker Bieling, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a), assess a civil money penalty of \$1,535.
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 29, 2011
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 3, 2011

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ross Parker Bieling, in his official capacity as Treasurer
Friends of Ross Bieling
7000 South Sylvan Lake Drive
Sanford, FL 32771

C00481184
AF# 2223

Dear Mr. Bieling:

On December 15, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Ross Bieling and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to timely file the 2010 October Quarterly Report. By letter dated December 21, 2010, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$1,535 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On January 24, 2011, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Friends of Ross Bieling and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$1,535 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on March 28, 2011.

On April 29, 2011, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Friends of Ross Bieling and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$1,535. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final

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determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). The failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,


Cynthia L. Bauerly
Chair

Attachment

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$1,535 for the 2010 October Quarterly Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Friends of Ross Bieling

FEC ID#: C00481184

AF#: 2223

PAYMENT AMOUNT DUE: \$1,535

FOR: Friends of Ross Bieling

FEC ID#: C00481184

AF#: 2223

PAYMENT AMOUNT DUE: \$1,535

3

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000153500 BA# 2 06-07-11 20 3



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usbancorp.
The SunTrust Company

FRIENDS OF ROSS BIELING - 04/10		1063
133 HARBOR DR. S.		63-212/931
VENICE, FL 34285		
Date <u>6-1-11</u>		
Pay to the Order of	<u>FEDERAL ELECTIONS Comm</u>	\$ <u>1,535.00</u>
<u>One thousand five hundred thirty five and 00/100</u>		Dollars
SUNTRUST		ACH RT 061000104
For: <u>Private</u>		



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2223

DATE SCANNED 7-5-11

SCANNER NO. 2

SCAN OPERATOR JmH

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